



NEWS

Federal Communications Commission
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FOR IMMEDIATE RELEASE
October 7, 1999

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Commission Reaffirms Satellite Home Viewer Act Order

The Federal Communications Commission (FCC) today released an *Order on Reconsideration* regarding Satellite Home Viewer Act (SHVA) issues. The FCC denied petitions filed by two home satellite carriers, DIRECTV and EchoStar, asking the Commission to revisit its February 1, 1999 *Report and Order* (FCC 99-14, CS Docket 98-302).

The SHVA is a copyright statute that allows home satellite carriers to retransmit broadcast network signals to their subscribers under limited circumstances. The Commission's February *Report and Order* established ways to measure and predict the strength of television signals for the purposes of the SHVA. The *Order on Reconsideration* largely reaffirms the findings in the *Report and Order* and does not comment on proposed SHVA legislation currently before the Congress.

Under the Satellite Home Viewer Act, only those households that are "unserved" by an adequate over-the-air television signal (a signal of "Grade B" intensity) are eligible for satellite-delivered network signals. The Commission's goal has been to help the broadcast and satellite industries identify more accurately those consumers who are eligible to receive network service as part of their satellite television package. Toward that end, the February 1 *Report and Order* created two tools. The first is an on-site (or "at-home") signal intensity test for measuring the strength of a television signal at a particular household. The second is a computer-generated predictive model, the Individual Location Longley-Rice (ILLR) model, that is intended to reduce the number of on-site tests required and that can be used by the public when and where satellite service is sold.

Today's *Order on Reconsideration* denied the petitions for reconsideration because they offered no new information. The Commission reiterated the importance of including accurate land use and land cover (vegetation and buildings) data in the ILLR prediction model. The Commission again urged interested parties to develop an application and methodology for including these factors that can be evaluated and accepted by the scientific and technical community.

Additionally, in response to the EchoStar petition, the Commission made two minor changes to the testing regimen so that the at-home test will be simpler to use. Specifically, testers now have the flexibility to use an additional type of testing antenna and the allowable bandwidth of the testing instruments is broader.

For more information on the SHVA issues, please refer to the Commission's SHVA web page at <http://www.fcc.gov/csb/shva>.

Action by the Commission, October 5, 1999, by Order on Reconsideration in CS Docket No. 98-201 (FCC 99-278). Chairman Kennard, Commissioners Ness, Furchtgott-Roth, Powell and Tristani.

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Report No. CS 99-12